

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of LANARD M. DUDLEY and
LIONEL JAMES DUDLEY, Minors.

DEPARTMENT OF SOCIAL SERVICES,

Petitioner-Appellee,

v

RICHARD BRIAN DANIEL,

Respondent-Appellant,

and

CHERYL DUDLEY and WILLIE DELAUGHTER,

Respondents.

Before: Griffin, P.J., and Markman and Whitbeck, JJ.

PER CURIAM.

Respondent Richard Brian Daniel appeals as of right the juvenile court order terminating his parental rights to the minor child, Lanard Dudley, under MCL 712A.19b(3)(c)(i) and (3)(i); MSA 27.3178(598.19b)(3)(c)(i) and (3)(i). We affirm.

Petitioner presented clear and convincing evidence that termination of respondent's parental rights was warranted under subsection (3)(c)(i). Respondent himself admitted that he did not have housing for himself or Lanard, that he was not in a position to assume custody at the time, and that his ability to care for Lanard in the future "would be a maybe." Petitioner likewise presented clear and convincing evidence that termination of respondent's parental rights was warranted under subsection (3)(i). Respondent's parental rights to another child had previously been terminated because he was unable to care for her due to his drug abuse, he was unsuccessful in prior drug rehabilitation programs,

and he resumed using drugs just when he was on his way to being reunited with Lanard. Therefore, the juvenile court's decision was not clearly erroneous. *In re Hall-Smith*, 222 Mich App 470; 564 NW2d 156 (1997).

Affirmed.

/s/ Richard Allen Griffin

/s/ Stephen J. Markman

/s/ William C. Whitbeck